

# HOUSE BILL REPORT

## SSB 5105

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### As Passed House:

April 5, 2005

**Title:** An act relating to certification of entities regulated by the utilities and transportation commission under Title 81 RCW.

**Brief Description:** Regarding certification of entities regulated by the utilities and transportation commission.

**Sponsors:** By Senate Committee on Transportation (originally sponsored by Senators Swecker, Jacobsen, Kastama and Oke; by request of Utilities & Transportation Commission).

### Brief History:

#### Committee Activity:

Transportation: 3/23/05 [DP].

#### Floor Activity:

Passed House: 4/5/05, 94-0.

### Brief Summary of Substitute Bill

- Allows the Washington Utilities and Transportation Commission (WUTC) to revoke, suspend, or amend certain transportation company certificates, or authorize certificates to new applicants, without a hearing, when the existing certificate holder does not object to the changes in the status of the certificate.
- Allows the WUTC to issue temporary certificates for up to 180 days to bus and airporter companies.

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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass. Signed by 20 members: Representatives Murray, Chair; Wallace, Vice Chair; Woods, Ranking Minority Member; Skinner, Assistant Ranking Minority Member; Buck, Campbell, Flannigan, Hankins, Hudgins, Jarrett, Kilmer, Lovick, Morris, Nixon, Schindler, Simpson, B. Sullivan, Takko, Upthegrove and Wood.

**Staff:** Beth Redfield (786-7347).

### Background:

Under current law, the Washington Utilities and Transportation Commission (WUTC) regulates certain passenger transportation providers including: private, nonprofit providers for

persons with special needs; regular route bus services, including airporter service; charter and excursion services; and commercial ferry companies. The WUTC also regulates solid waste collection companies. An operator wishing to provide any of these services for compensation must first obtain a certificate from the WUTC. In order to revoke, suspend, or amend certain transportation company certificates, or to authorize certificates to new applicants, the WUTC must hold a public hearing. Hearings must be held in every circumstance of change regardless if the certificate holder agrees or objects to the changes.

Unlike other statutory provisions regulating transportation providers, Chapter 81.68 RCW, concerning bus services and airporters, does not provide for temporary certificates.

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**Summary of Bill:**

The WUTC may revoke, suspend, or amend certain transportation company certificates, or authorize certificates to new applicants, without a hearing, when the existing certificate holder does not object to the changes in the status of the certificate. Additionally, the WUTC may issue a certificate to operate commercial ferry service without a hearing, as long as proper notice and an opportunity for a hearing was originally provided and no objections are made regarding the issuance of the certificate.

The WUTC may issue temporary certificates for up to 180 days to bus service or airporter service providers.

RCW 81.68.045, regarding excursion service companies, is moved from the auto transportation companies regulation chapter to the excursion services chapter, 81.70 RCW.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** The bill provides transit companies regulated by WUTC an opportunity to waive a hearing and would also allow the WUTC to issue temporary certificates to buses and airporters. The bill will make regulatory processes more efficient. While a hearing may still be required if there is an objection or if the WUTC decides it would be the best way to gather facts for the record, it would eliminate hearings held just for the sake of form. The WUTC will be able move to decisions more quickly, with less cost to companies and the WUTC. Companies will be able to enter markets more quickly. The WUTC will be able to be more responsive to communities in need of transit services. As an example, last year Greyhound withdrew service from 21 communities. The WUTC could grant a company a temporary certificate while deciding whether to grant a permanent certificate.

**Testimony Against:** None.

**Persons Testifying:** Chris Rose, Washington Utilities and Transportation Committee.

**Persons Signed In To Testify But Not Testifying:** None.